



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 10/2/2018

Council District ALL

Item Creation Date: 9/28/2018

ARA-MYR – Chapter 28 Amendment

Summary:

ORDINANCE amending Chapter 28 relating to the on premise use of devices or any other items intended to provide sexual stimulation or sexual gratification; containing findings and other provisions related to the foregoing subject; providing for severability


Background:

The Director of the Administration & Regulatory Affairs Department recommends revisions to Chapter 28, Article II, Adult Arcades and Mini-Theatres, to address current and emergent technologies in the adult entertainment industry.

The City of Houston began regulating Sexually Oriented Businesses ("SOBs") in 1983. In subsequent amendments, the definition of SOBs was expanded to include adult arcades and established distance requirements prohibiting SOBs from being within 750 feet of sensitive land uses such as churches, schools and daycare facilities. In 1997, Ordinance No. 97-75 added public parks and areas with 75% residential density to the list of sensitive land uses and doubled the distance requirement to 1,500 feet.

An adult arcade is a facility where customers go into a booth to view adult content using an arcade device. The proposed amendments expand the Article II definition of an arcade device to include an anthropomorphic device or object utilized for entertainment. The Ordinance defines entertainment as either exposing specified anatomical areas and or engaging in specified sexual activities. The proposed amendments prohibit entertainment with one or more persons using an arcade device on the premises, but allows for the sale of arcade devices. A violation of the Ordinance would allow the City to revoke the permit or authorize the city attorney to enjoin the operation of the business.

Departmental Approval Authority:


Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

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